

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

**COMMANDER KENNETH J.
WHITWELL,**

Plaintiff,

v.

REV. EDWARD J. SMITH,

Defendant.

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CIV. NO. 05-796-SLR

SPECIAL VERDICT

As part of your deliberations, please answer the following questions:

Proximate Cause

1. Were the actions the defendant the proximate cause of any damage to plaintiff?

Yes _____

No _____

[If you answered “yes,” go to question 2, if you answered “no,” your deliberations have ended]

Damages

2. What dollar amount will fairly compensate plaintiff for any emotional distress, permanent injuries, bodily harm, humiliation, fear and anxiety, loss of earning capacity or medical expenses he has or will suffer as a result of the actions of defendant Smith?

\$ _____

[go to question 3]

Punitive Damages

3. Do you find that defendant Smith acted recklessly, intentionally or maliciously with regard to plaintiff?

Yes _____

No _____

If you answered “Yes” and you wish to exercise your discretion to award punitive damages, enter below what you believe to be the amount of punitive damages which you believe is appropriate to punish and deter illegal conduct.

\$ _____

[Your deliberations now have ended]

**THE FOREGOING IS THE VERDICT OF THE JURY
EACH JUROR MUST SIGN BELOW**

Foreperson

Juror

Juror

Juror

Juror

Juror

Juror

Juror

Dated: _____

Whitwell\trial\jury prayers\Special Verdict Draft02